



EXPEDITED RULE MAKING

CR-105 (June 2004)
(Implements RCW 34.05.353)
EXPEDITED RULE MAKING ONLY

Agency: Department of Enterprise Services

Title of rule and other identifying information: (Describe Subject)

WAC 200-320-006 If state employees will not be displaced
WAC 200-320-010 Definitions

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

Name: Jack Zeigler

Agency: Department of Enterprise Services

Address: 1500 Jefferson St SE., Olympia, WA 98504-1401

AND RECEIVED BY (Date) May 5, 2014

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The purpose of this rulemaking is to repeal WAC 200-320-006 and amend WAC 200-320-010.

In regard to the repeal of WAC 200-320-006 and amendment of WAC 200-320-010, agencies must apply the text of RCW 41.06.142(1)(b) to their specific situation to determine if they have "employees in the classified service whose positions or work would be displaced by the contract." If so, agencies must follow the competitive contracting requirements.

Reasons supporting proposal:

This rule-making is necessary to comply with a court decision that invalidates WAC 236-51-006 (recodified as 200-320-006) and WAC 236-51-010(11) (recodified as 200-320-010(11)). See Wash Fed'n of State Empl. V. Wash Dep't of Gen. Admin., 152 Wn. App. 368, 216 p.3d 1061 (Div. 2, 2009)

Statutory authority for adoption: RCW 41.06.142(4)(d)

Statute being implemented: RCW 41.06.142

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
State Court Decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

If yes, CITATION:
37897-3-II

DATE
March 3, 2014

NAME (TYPE OR PRINT)
Jack Zeigler

SIGNATURE

TITLE
Rules & Policy Manager

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 05, 2014

TIME: 7:40 AM

WSR 14-06-099

(COMPLETE REVERSE SIDE)

Name of proponent: (person or organization) Department of Enterprise Services

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

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Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: